

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF PENNSYLVANIA

108 - 97, 104, 105, 107
jmar

In re: : Bankruptcy Case No.: 16-10566-TPA

: :

: Chapter: 13

: Issued per the February 11, 2020 Proceeding

**Ronnie Michael Kelly Sr.
aka Ronald M Kelly Sr.**
Debtor(s)

**ORDER OF COURT CONFIRMING PLAN
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that the Plan dated December 31, 2019 is CONFIRMED. A copy of this plan was previously mailed to you.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon it's entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Debtor(s)'s counsel (or Debtor(s) if not represented by counsel) must review all proofs of claim within thirty (30) days after the claims bar date. All objections to pre-petition claims shall be filed within ninety (90) days after the claims bar date, thereafter allowing at least thirty (30) days for a response.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) IT IS FURTHER ORDERED THAT:

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

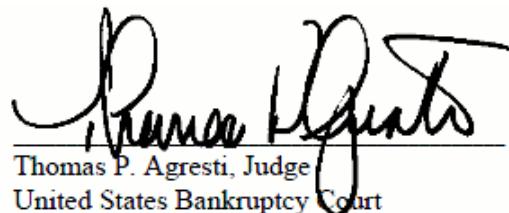
B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Thomas P. Agresti, Judge
United States Bankruptcy Court

Dated: February 12, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:
Ronnie Michael Kelly, Sr.
Debtor

Case No. 16-10566-TPA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1

User: jmar
Form ID: 235

Page 1 of 1
Total Noticed: 12

Date Rcvd: Feb 12, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 14, 2020.

db +Ronnie Michael Kelly, Sr., PO Box 232, Sheffield, PA 16347-0232
cr +Ditech Financial LLC, 14841 Dallas Parkway, Suite 300, Dallas, TX 75254-7883
14951092 +Chalet Properties III, LLC, c/o BSI Financial Services, 1425 Greenway Drive, Ste 400, Irving, TX 75038-2480
14244272 +Everhome Mortgage Co / Ever Bank, Attn: Bankruptcy Department, 301 West Bay Street, Jacksonville, FL 32202-5184
14244273 +KML Law Group PC, Suite 5000 - BNY Independence Center, 701 Market Street, Philadelphia, PA 19106-1538
14244274 ++NORTHWEST SAVINGS BANK, P O BOX 337, WARREN PA 16365-0337
(address filed with court: Northwest Savings Bank, PO Box 1793, Warren, PA 16365)
14255598 +Northwest Bank, Attn Angela Abreu, 100 Liberty Street, P.O. Box 128, Warren, PA 16365-0128
14244275 +Progressive Insurance Company, 6300 Wilson Mills Road, Cleveland, OH 44143-2182
14290758 +Upmc Community Medicine, 6681 Country Club Drive, Golden Valley MN 55427-4601

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14244270 +E-mail/Text: bankruptcy_notifications@ccsusa.com Feb 13 2020 03:06:28
Credit Collections Service, Po Box 773, Needham, MA 02494-0918
14244271 +E-mail/Text: bankruptcy.bnc@ditech.com Feb 13 2020 03:04:08 Ditech Financial LLC,
Po Box 6172, Rapid City, SD 57709-6172
14323912 E-mail/Text: bankruptcy.bnc@ditech.com Feb 13 2020 03:04:08
Ditech Financial LLC fka Green Tree Servicing LLC, P.O. Box 6154,
Rapid City, South Dakota 57709-6154

TOTAL: 3

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****
cr Chalet Properties III, LLC
cr Ditech Financial LLC

TOTALS: 2, * 0, ## 0

Addresses marked '' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '+' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 14, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 12, 2020 at the address(es) listed below:

Daniel P. Foster on behalf of Debtor Ronnie Michael Kelly, Sr. dan@mrdebtcbuster.com,
clarissa@mrdebtcbuster.com;fosterlaw@ecf.inforuptcy.com;anne@ecf.inforuptcy.com
James Warmbrodt on behalf of Creditor Ditech Financial LLC bkgroup@kmlawgroup.com
Joshua I. Goldman on behalf of Creditor Ditech Financial LLC bkgroup@kmlawgroup.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecoeur cmecf@chapter13trusteeewdpa.com

TOTAL: 5